

REMARKS

Claims 1, 7, 10, 14, 15, 17 and 18 have been rejected under 35 USC 103(a) as the “obvious” modification of the voice and GPS satellite position location communication system of the patent to Brewster et al by incorporating the concept of “sending location service information from the control center to the user” as in the Hollenberg patent. Claim 2, 5, 6, 8, 9 and 11-13 have been similarly rejected, further in light of the Johnson patent movement alarm; and claims 3, 4 and 16, further in view of the disclosure of a “movable cellular phone and the separate control channel for vehicle” disclosed in the Sheffer patent.

Neither the patent to Brewster et al, nor the patent to Hollenberg, however, singly or together, actually discloses, or even suggests applicant’s inventive concept, purpose or new result of relying only

“on the user’s portable phone for voice, and not the dedicated in-car vehicle phone control channel radio...(with) no further receiving fees for the vehicle module which, in accordance with the invention, communicates only over the control channel of the cellular network (normally only heretofore used to “set up call, break down calls and switch cell sites”—page 4 of applicant’s specification), and only to transmit data”. (page 4 of specification--parenthesis added).

Not only does Brewster, in the words of the Office (page 4 of its action), actually “not clearly teach the sending of the requested user location service information transmitted from the control center to user”—*the whole purpose of the applicant’s invention*--but it does not use the cellular network control channels for any such transmission. Nor, in fact, does the Hollenberg patent disclose or even hint at the use of a cellular telephone network data control channel for communicating location data in what the Office describes as its “transmitting location information to display on user’s wireless device”.

In order even more distinctively to differentiate this highly novel concept from the cited references or any possible combination thereof, the claims have now been amended herein to specify this novel use of the *cellular network data-communication radio control channel paths* separate from the cellular network voice-communication paths that enable applicant’s novel results.

Thus, for example, amended claim 1 now specifies both the “cellular network radio voice-communication path” and the “*cellular network*” different *data-communication* radio

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control channel path normally used to set up phone calls, break down phone calls and switch cell sites" but now, in accordance with the invention, carrying the GPS "wake-up signal from the control center" (see page 5 of applicant's specification), and "to transmit the microprocessor-processed location data over the cellular network data-communication radio control channel path back to said control center" from the vehicle transponder. Clearly, no such use of the *cellular network* data-communication control channel path is involved in the references. Nor do either of the secondary references to Johnson or Sheffer provide any such teaching. As to these patents, moreover, applicant does not claim to have invented vehicle motion sensors (Johnson) per se only in the claimed system combination. Nor does applicant use or claim what the Office describes as "the utilization of control channel to compute the portable...approximate location" (page 18) of the Sheffer patent.

Each of the other independent claims 6, 7, 12, 14 and 17 has been similarly amended thus more clearly to define applicant's invention over the cited art, and each of respective dependent claims 2-5, 8-13, 15, 16 and 18 thus also now so distinguish thereover.

Reconsideration and allowance of all of the claims, particularly as amended as above discussed, therefore appear to be in order and are accordingly respectfully requested.

Any costs incurred by this amendment, including for filing the Request for Continued Examination (RCE) and required time extensions, petition for which is hereby requested, and any other costs herein may be charged to account No.18-1425 of the undersigned attorneys.

Very Respectfully,

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